



U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

**NOTICE OF APPEAL AND  
REQUEST FOR EXTENSION OF  
TIME PURSUANT TO 37 C.F.R. §  
1.136(a)**

Docket Number:  
1662/54902

Application Number  
10/045,510

Filing Date  
October 19, 2001

Examiner  
Samuel A. Barts

Art Unit  
1621

Invention Title  
Crystalline Venlafaxine Base And Novel  
Polymorphs Of Venlafaxine Hydrochloride,  
Processes For Preparing Thereof

Inventors  
Ben-Zion DOLITZKY et al.

**Mail Stop AF**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

Date:

6/27/05

Signature:

Kathy Fall

Sir:

1. Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner made in the Final Office Action dated December 28, 2004 finally rejecting claims 1, 2 and 95-98.
2. Applicants hereby request a **three-month extension of time** to respond to the Final Office Action of December 28, 2004, which sets a three-month period for response. The extended period for response expires on **June 28, 2005**.
3. The Commissioner is hereby authorized to charge payment of the 37 C.F.R. 1.191 Notice of Appeal fee of **\$500.00** and the 37 C.F.R. § 1.136(a) three month extension fee of **\$1,020.00** to the deposit account of **Kenyon & Kenyon**, deposit account number **11-0600**.
4. The Commissioner is also authorized to charge any additional fees or credit any overpayment in connection with this paper to Deposit Account No. **11-0600**.
5. A copy of this form is enclosed for charging purposes.

Date:

June 27, 2005

Respectfully submitted,

*John B. Starr, Jr.*  
John B. Starr, Jr.  
Reg. No. 44,474

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01 FC:1253 1020.00 DA

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02 FC:1401 500.00 DA